

DEPARTMENT OF EDUCATION

P. O. BOX 2120

Richmond, Virginia 23218-2120

CAREER AND TECHNICAL EDUCATION MEMO NO. 058-13

DATE: September 27, 2013

TO: CTE Administrators

FROM: Lolita B. Hall, Director
Office of Career and Technical Education Services

SUBJECT: ALERT – Career and Technical Education (CTE) Maximum Class Size

As you prepare to submit the fall Master Schedule Collection (MSC) data, please be advised to work closely with school counselors and other personnel who are responsible for scheduling students for CTE classes. All schools and regional technical centers must comply with the federal Occupational Safety and Health Administration (OSHA) and state regulations regarding CTE maximum class size <8VAC20-120-150> and student safety <8VAC20-120-10>. The Virginia Department of Labor and Industry (VDOLI) has worked with the Office of Career and Technical Education to identify CTE classes impacted by federal OSHA regulations. VDOLI is responsible for enforcing child endangerment laws, which cover CTE laboratory settings in public schools, and can involve criminal penalties for non-compliance.

Superintendent's Memorandum No. 218-13, Flexibility Provisions in the *Code of Virginia* and the 2013 Appropriation Act, issued on August 16, 2013, Item 139.A.16, outlines the appropriation act language. Included in this provision is language waiving the teacher to pupil ratio staffing requirement for CTE programs. **This waiver does not apply to the class size maximums of CTE courses where safety is an issue per OSHA requirements or courses serving certain target populations listed in state regulations (disabled and disadvantaged students).** The [current list](#) of CTE courses that have a maximum class size relating to safety standards and target populations must be maintained during fiscal years 2013 and 2014. Adherence to these maximum class sizes is critical.

Additionally, it is important to note that the procurement and use of equipment for middle school courses in Agricultural Education, Family and Consumer Sciences, and Technology Education must be provided for instructional applications that do not require use of commercial industrial equipment. Any use of commercial industrial equipment in a middle school laboratory is for teacher demonstration purposes only. School divisions must take appropriate safeguards to ensure students satisfy all safety requirements before using any type of appropriate equipment and that only teachers have access to commercial industrial equipment.

If you have any questions, please contact George R. Willcox, coordinator for career and technical education planning, administration, and accountability, at cte@doe.virginia.gov or by telephone at (804) 786-4206.

LBH/sgj